

**BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION**

3485 Orange Grove Avenue, North Highlands, CA 95660

Telephone 916.574.2041 Fax 916.574.2120

<http://www.bhfti.ca.gov>**Summary - Consumer Advisory Council Meeting**

Wednesday, December 13, 2006

Milton Marks Conference Center

San Diego Room

455 Golden Gate Avenue

San Francisco, CA. 94102

Members Present:

Brian Stiger, Chair

James Albers

Debra Brady

Stan Greitzer

Kathleen Newman

Welcome

The meeting was called to order at 10:42 a.m. with introductions given by everybody in attendance. Council members John McNeill, Sharron Bradley and Burt Grimes were absent.

Bureau Update

The Bureau update, presented by Brian, included the topics of Licensing, Enforcement Actions, Outsourcing Contracts, Technical Bulletin 604 (TB 604), Outreach, Bureau Resources, and Staff Development. It was discussed that a total of 1,725 licenses were issued between July 2006 and November 2006, which is a 53% increase since the same period last fiscal year. It was also mentioned that importers account for the Bureau's fastest growing licensee population. Council member Stan Greitzer suggested that the Bureau identify the licensing trend, comparing the current number of licenses per group to the licensee population in previous years. Doing so, Mr. Greitzer suggested, would allow the Bureau to determine where to focus their enforcement efforts. Council member Kathleen Newman also advised the Bureau to determine the increase rate of importer licenses.

During the overview of the Bureau's Enforcement Actions, Brian mentioned that the Bureau has issued a total of 66 citations between July 2006 and September 2006, which is about 100 less than what was issued during the same time last year. The reason for the decrease, Brian stated, is because the Bureau was heavily focused on Unlicensed Activity last year; in addition, there was a staff shortage due to medical issues.

Since the Bureau's lab capabilities for Technical Bulletin 603 (TB 603) testing only extend to twin and full sized mattresses, the Bureau contracted with Stork Twin Cities Laboratory in

Minnesota to test for the flammability standards of queen and king sized mattresses. It was discussed that the contractor is responsible for shipping the sample mattresses to the lab, as their process with the shipping company is much faster and efficient than what the Bureau can produce. With this process, the inspector shall mark the mattress with an identification number, then wrap the sample with a packing slip to ensure that the sample has not been altered. It was also mentioned that the cost to test each mattress is approximately \$400, charged to the Bureau. Mr. Greitzer suggested that the Bureau promulgate regulation to mandate the manufacturers to absorb the costs of testing their products. Brian stated that the Bureau may submit a legislation proposal for a possible change, but proposals on compliance fee regulations have been denied by the agency in the past. The contract with Stork Twin Cities Laboratory is approximately \$100,000 and it is effective through August 31, 2007.

In addition to the outsourcing contract with Stork, the Bureau has a \$50,000 thermal insulation contract with SGS Laboratories and a \$3,500 plumage contract with International Down and Feather Laboratory. For the purpose of determining the accuracy of test results and to eliminate discrepancies, Mr. Greitzer suggested that the Bureau compare its test results with the same samples submitted to other labs for testing.

With regards to TB 604, the flammability standard for top-of-the-bed products, Brian stated that the Bureau would open up the rulemaking process soon after the results of the Precision & Bias study are concluded.

It was also noted that the Bureau is looking to expand its outreach efforts. The Bureau has hosted three Sanitization workshops in different cities in California and is planning to host a Retailer's Workshop on January 31, 2007.

With regards to the Bureau's resources, there are vacancies in the Compliance Unit and the Field Operations Unit and one vacancy in the Laboratory. Our enforcement efforts at the Bureau are limited to the resources we have. The Bureau will be working on filling these positions soon. Additionally, the Bureau is investing in the training of staff with classes on investigative skills training and privacy protection training.

Advertising Review Update

The Bureau is looking to expand the scope of the advertising project by including more newspapers and ads to investigate. Mr. Greitzer suggested that we address the issue with the retailers directly by conducting meetings to educate them on how to comply in this area.

Communication Strategy

Dale Chessey, the Bureau's Public Relations point of contact, has an extensive PR background and has been proactively pursuing the media to help promote awareness about the responsibilities of the Bureau. To contact Dale, please email him at Dale_Chessey@dca.ca.gov or call him at (916) 574-0283.

CFR 1633 Enforcement Strategy

With regards to CFR 1633, the Bureau will be using TB 603 as an enforcement model with input from the Consumer Product Safety Commission. Staff training will take place in February to educate staff on the differences between TB 603 and the federal standard. Council member

Jim Albers advised that we follow up on any TB 603 tips we've received on King and Queen mattresses, which we weren't able to test before.

TB 604 Enforcement Strategy

The Bureau's strategy to enforce TB 604 is to promote voluntary compliance, adopt regulations that clearly specify amenable products, minimize exemptions, and expand outsourcing to include TB 604 testing. In addition, the Bureau will increase retailer communication, notification, and accountability as well as emphasize importer responsibility. The Bureau is also looking for cooperation from the industry to be notified of uniquely filled products that may be amenable to TB 604.

Future Meetings and Agenda Items

Although the next meeting was tentatively scheduled for March 21, 2007, it was suggested that the following meeting be held on a Friday or a Monday in San Diego. Future possible agenda items include lab processing times, picking up samples from the wholesaler instead of the retailer, enforcement of foam suppliers, effects of flame-retardant chemicals, status of TB 117 and licensing trends.

Adjournment

The meeting was adjourned at 1:10 p.m.